



GENERAL ASSEMBLY COMMONWEALTH OF KENTUCKY

2005 REGULAR SESSION

SENATE BILL NO. 19

AS ENACTED

TUESDAY, MARCH 8, 2005

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TREY GRAYSON
SECRETARY OF STATE
COMMONWEALTH OF KENTUCKY
BY R. Adler

AN ACT relating to reading, making an appropriation therefor, and declaring an emergency.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

1 Section 1. This Act shall be cited as the "Read to Achieve Act of 2005."

2 SECTION 2. A NEW SECTION OF KRS CHAPTER 158 IS CREATED TO
3 READ AS FOLLOWS:

4 *(1) The General Assembly hereby finds that reading proficiency is a gateway skill*
5 *necessary for all of Kentucky students to achieve the academic goals established*
6 *in KRS 158.6451. It is Kentucky's goal that all children learn to read well before*
7 *exiting the primary program.*

8 *(2) It is the intent of the General Assembly that every elementary school:*

9 *(a) Provide a comprehensive schoolwide reading program;*

10 *(b) Provide diagnostic reading assessments and intervention services for those*
11 *students who need them to learn to read at the proficient level;*

12 *(c) Ensure quality instruction by highly trained teachers; and*

13 *(d) Provide high quality library media programs.*

14 Section 3. KRS 158.792 is amended to read as follows:

15 (1) As used in this section and KRS 164.0207, unless the context requires otherwise:

16 (a) *"Comprehensive reading program" means a program that emphasizes the*
17 *essential components of reading: phonemic awareness, phonics, fluency,*
18 *vocabulary, comprehension, and connections between writing and reading*
19 *acquisition and motivation to read*~~["Reading" means the process of~~

20 ~~comprehending the meaning of written text by depending on:~~

21 ~~1. The ability to use phonics skills, that is, knowledge of letters and~~
22 ~~sounds, to decode printed words quickly and effortlessly, both silently~~
23 ~~and aloud;~~

24 ~~2. The ability to use previously learned strategies for reading~~

comprehension; and

3. ~~The ability to think critically about the meaning, message, and aesthetic value of the text].~~

(b) "Reading diagnostic assessment" means an assessment that identifies a struggling reader and measures the reader's skills against established performance levels in the essential components of reading. The purpose is to screen for areas that require intervention in order for the student to learn to read proficiently.

(c) "Reading intervention program" means short-term intensive instruction in the essential skills necessary to read proficiently that is provided to a student by a highly trained teacher. This instruction may be conducted one-on-one or in small groups, shall be research-based, reliable, and replicable, and shall be based on the ongoing assessment of individual student needs.

(d) "Reliable, replicable research" means objective, valid, scientific studies that:

1. Include rigorously defined samples of subjects that are sufficiently large and representative to support the general conclusions drawn;
2. Rely on measurements that meet established standards of reliability and validity;
3. Test competing theories, where multiple theories exist;
4. Are subjected to peer review before their results are published; and
5. Discover effective strategies for improving reading skills.

(2) The reading diagnostic and intervention~~[early reading incentive]~~ fund is created to help teachers and library media specialists improve the reading skills of struggling readers~~[students]~~ in the primary program. The Department of Education, upon the recommendation of the Reading Diagnostic and Intervention~~[Early Reading Incentive]~~ Grant Steering Committee, shall provide renewable, two (2) year grants to schools to support teachers in the implementation of reliable, replicable research-

1 based reading intervention programs~~[models]~~ that use a balance of diagnostic
 2 tools, and instructional strategies that emphasize phonemic awareness, phonics,
 3 fluency, vocabulary, comprehension, and connections between writing and
 4 reading acquisition and motivation to read~~[, including phonics instruction,]~~ to
 5 address the diverse learning needs of those students reading at low levels. Any
 6 moneys in the fund at the close of the fiscal year shall not lapse but shall be carried
 7 forward to be used for the purposes specified in this section.

8 (3) (a) The Kentucky Board of Education shall promulgate administrative
 9 regulations, based on recommendations from the secretary of the Education
 10 Cabinet, the Reading Diagnostic and Intervention Grant Steering
 11 Committee established in Section 4 of this Act, and the Collaborative Center
 12 for Literacy Development established in Section 5 of this Act to:

- 13 1. Identify eligible grant applicants, taking into consideration how the
 14 grant program described in this section will relate to other grant
 15 programs;
- 16 2. Specify the criteria for acceptable diagnostic assessments and
 17 intervention programs;
- 18 3. Specify the criteria for acceptable ongoing assessment of each child to
 19 determine his or her reading progress;
- 20 4. Establish the minimum evaluation process for an annual review of
 21 each grant recipient's program and progress;
- 22 5. Identify the annual data that must be provided from grant recipients;
- 23 6. Define the application review and approval process;
- 24 7. Establish matching requirements deemed necessary;
- 25 8. Define the professional development and continuing education
 26 requirements for teachers, library media specialists, administrators,
 27 and staff of grant recipients;

1 9. Establish the conditions for renewal of a two (2) year grant; and

2 10. Specify other conditions necessary to implement the purposes of this
 3 section.

4 (b) The board shall require that a grant applicant provide assurances that the
 5 following principles will be met if the applicant's request for funding is
 6 approved:

7 1. A research-based comprehensive schoolwide reading program will be
 8 available;

9 2. Intervention services will supplement, not replace, regular classroom
 10 instruction;

11 3. Intervention services will be provided to struggling primary program
 12 readers within the school based upon ongoing assessment of their
 13 needs; and

14 4. A system for informing parents of struggling readers of the available
 15 family literacy services within the district will be established

16 ~~Upon~~
 17 ~~recommendation of the Early Reading Incentive Grant Steering~~
 18 ~~Committee, the state board shall establish by promulgation of an~~
 19 ~~administrative regulation in accordance with provisions of KRS Chapter~~
 20 ~~13A an application process and the criteria for funding grants. The~~
 21 ~~application shall include, but not be limited to, the following:~~

22 ~~(a) Identification of the research-based model to be implemented;~~

23 ~~(b) The method for identifying qualified students to be served;~~

24 ~~(c) An implementation plan and timeline, including supporting professional~~
 25 ~~development efforts;~~

26 ~~(d) A plan for evaluation to assess the short term and long term success of the~~
 27 ~~program;~~

~~(e) A budget; and~~

1 ~~(f) Approval of the application by the school council if one exists, the principal,~~
 2 ~~and the superintendent of schools].~~

3 (4) In order to qualify for funding, the school council, or if none exists, the principal or
 4 the superintendent of schools, shall allocate matching funds required by grant
 5 recipients under subsection (3) of this section. Funding for professional
 6 development allocated to the school council under KRS 160.345 and for continuing
 7 education under KRS 158.070 may be used as part of the school's match.

8 (5) The Department of Education shall make available to schools:

9 (a) Information concerning successful, research-based comprehensive~~[early]~~
 10 reading programs, diagnostic tools for pre- and post-assessment, and
 11 intervention programs~~[models including phonics instruction]~~, from the
 12 Collaborative Center for Literacy Development created under KRS 164.0207;

13 (b) Strategies for successfully implementing early reading programs, including
 14 professional development support and the identification of funding sources;
 15 and

16 (c) A list of professional development providers offering teacher training related
 17 to reading that emphasizes the essential components for successful reading:
 18 phonemic awareness, phonics, fluency, vocabulary, comprehension, and
 19 connections between writing and reading acquisition and motivation to
 20 read~~[phonics instruction]~~.

21 (6) The Department of Education shall submit a report to the Interim Joint Committee
 22 on Education no later than September 1 of each year outlining the use of grant
 23 funds~~[and a summary of the program's evaluation conducted by the Collaborative~~
 24 ~~Center for Literacy Development under KRS 164.0207]~~. The report shall also
 25 include comparisons of the overall costs and effectiveness of intervention
 26 programs. The annual report for an odd-numbered year shall include an estimate
 27 of the cost to expand the reading diagnostic and intervention grant program.

1 Section 4. KRS 158.794 is amended to read as follows:

2 (1) The **Reading Diagnostic and Intervention**~~[Early Reading Incentive]~~ Grant Steering
 3 Committee is hereby created for the purpose of advising the Kentucky Board of
 4 Education and the Department of Education concerning the implementation and
 5 administration of the~~[early]~~ reading **diagnostic and intervention**~~[incentive grant]~~
 6 fund created **in Section 3 of this Act**~~[by KRS 158.792]~~. The committee shall be
 7 composed of **sixteen (16)**~~[fifteen (15)]~~ members including the commissioner of
 8 education or the commissioner's designee, the **executive director of the**
 9 **Collaborative Center for Literacy Development, the** president of the Council on
 10 Postsecondary Education or the president's designee,~~[the commissioner of the~~
 11 ~~Department for Adult Education and Literacy or the commissioner's designee,]~~ and
 12 the following members, to be appointed by the Governor:

- 13 (a) **Four (4)**~~[Two (2)]~~ primary program teachers with a specialty or background
 14 in reading and literacy;
- 15 (b) **Four (4)**~~[Eight (8)]~~ university **or college** professors with a specialty or
 16 background in reading and literacy representing~~[each of the public]~~
 17 universities;~~[and]~~
- 18 (c) **One (1) elementary school principal;**
- 19 **(d) One (1) certified library media specialist; and**
- 20 **(e) Three (3)**~~[Two (2)]~~ individuals from the state at large with **an**~~[background~~
 21 ~~and]~~ interest in reading and literacy.

22 (2) Each member of the committee, other than members who serve by virtue of their
 23 position, shall serve for a term of three (3) years or until a successor is appointed
 24 ~~[and qualified]~~, except that upon initial appointment, **five (5)**~~[four (4)]~~ members
 25 shall serve a one (1) year term, four (4) members shall serve a two (2) year term,
 26 and four (4) members shall serve a three (3) year term.

27 (3) A majority of the full authorized membership shall constitute a quorum.

1 (4) The committee shall elect, by majority vote, a chair, who shall be the presiding
 2 officer of the committee, preside at all meetings, and coordinate the functions and
 3 activities of the committee. The chair shall be elected or reelected each calendar
 4 year.

5 (5) The committee shall be attached to the Department of Education for administrative
 6 purposes.

7 (6) The committee shall:

8 (a) Identify needs, trends, and issues in schools throughout the state regarding
 9 reading and literacy programs;

10 (b) Make recommendations regarding the content of administrative regulations
 11 to be promulgated by the Kentucky Board of Education under Section 3 of
 12 this Act; ~~Develop criteria for the solicitation, review, and approval of grant~~
 13 ~~applications provided under KRS 158.792;~~

14 ~~(c) Develop a process for monitoring grants that are awarded; and~~

15 ~~(c)~~~~(d)~~ Recommend approval of grant applications based upon the provisions of
 16 Section 3 of this Act and administrative regulations promulgated by the
 17 Kentucky Board of Education as required under Section 3 of this Act; and
 18 (d) Advise the Kentucky Board of Education and the Department of Education
 19 regarding costs and effectiveness of various reading intervention
 20 programs ~~criteria established by the committee~~.

21 Section 5. KRS 164.0207 is amended to read as follows:

22 (1) The Collaborative Center for Literacy Development: Early Childhood through
 23 Adulthood is created to make available professional development ~~training~~ for
 24 educators in reliable, replicable research-based reading programs ~~models~~, and to
 25 promote literacy development, including cooperating with other entities that
 26 provide family literacy services. The center shall be responsible for:

27 (a) Developing and implementing a clearinghouse for information about

1 ~~programs~~^[models] addressing reading and literacy from early childhood and
 2 the elementary grades (P-5) through adult education;

3 (b) Providing advice to the Kentucky Board of Education regarding the
 4 Reading Diagnostic and Intervention Grant Program established in Section
 5 3 of this Act and in other matters relating to reading;

6 (c) Collaborating with public and private institutions of postsecondary education
 7 and adult education providers to provide for teachers and administrators
 8 quality preservice and professional development relating to reading
 9 diagnostic assessments and intervention and to the essential components of
 10 successful reading: phonemic awareness, phonics, fluency, vocabulary,
 11 comprehension, and the connections between writing and reading
 12 acquisition and motivation to read~~in early reading instruction, including~~
 13 ~~phonics instruction~~;

14 (d)~~(e)~~ Collaborating with the Kentucky Department of Education to
 15 assist~~[Assisting]~~ districts with students functioning at~~[located in areas with]~~
 16 low levels of reading skills to assess and address identified literacy needs;

17 (e)~~(d)~~ Providing professional development and coaching for early childhood
 18 educators and classroom teachers, including adult education teachers,
 19 implementing selected reliable, replicable research-based reading programs.
 20 The professional development shall utilize technology when
 21 appropriate~~[models]~~;

22 (f)~~(e)~~ Developing and implementing a comprehensive research agenda
 23 evaluating the early reading models implemented in Kentucky under KRS
 24 158.792;

25 (g)~~(f)~~ Maintaining~~[Establishing]~~ a demonstration and training site for early
 26 literacy located at each of the public universities; and

27 (h)~~(g)~~ Evaluating the reading and literacy components of the model adult

education programs funded under the adult education and literacy initiative fund created under KRS 164.041.

(2) The center shall review national research and disseminate appropriate research abstracts, when appropriate, as well as conduct ongoing research of reading programs throughout the state. Research activities undertaken by the center shall consist of descriptive as well as empirical studies.

(a) The center may contract for research studies to be conducted on its behalf.

(b) The research agenda should, at a minimum, consider the impact of various reading and intervention programs:

1. In eliminating academic achievement gaps among students with differing characteristics, including subpopulations of students with disabilities, students with low socioeconomic status, students from racial minority groups, students with limited English proficiency, and students of different gender;

2. In schools with differing characteristics, such as urban versus rural schools, poverty versus nonpoverty schools, schools with strong library media center programs versus schools with weak library media center programs and schools in different geographic regions of the state;

3. In terms of their costs and effectiveness; and

4. In maintaining positive student progress over a sustained period of time.

(3) The center shall submit an annual report ~~off-on~~ its activities to the Kentucky Department of Education, the Governor, and the Legislative Research Commission no later than September 1 of each year.

(4)~~[(3)]~~ With~~[the]~~ advice from~~[of the Department of Adult Education and Literacy in the Cabinet for Workforce Development and]~~ the Department of Education, the Council on Postsecondary Education shall develop a process to solicit, review, and

1 approve a proposal for locating the Collaborative Center for Literacy Development
 2 at a public institution of postsecondary education. The Council on Postsecondary
 3 Education shall approve the location. The center, in conjunction with the council,
 4 shall establish goals and performance objectives related to the functions
 5 described in this section~~[and monitor the progress of the center].~~

6 Section 6. KRS 154A.130 is amended to read as follows:

- 7 (1) All money received by the corporation from the sale of lottery tickets and all other
 8 sources shall be deposited into a corporate operating account. The corporation is
 9 authorized to use all money in the corporate operating account for the purposes of
 10 paying prizes and the necessary expenses of the corporation and dividends to the
 11 state. The corporation shall allocate the amount to be paid by the corporation to
 12 prize winners. The amount in the corporate operating account which the corporation
 13 anticipates will be available for the payment of prizes on an annuity basis may be
 14 invested in direct United States Treasury obligations. These instruments may be in
 15 varying maturities with respect to payment of annuities and may be in book-entry
 16 form. Monthly, no later than the last business day of the succeeding month, the
 17 corporation shall transfer to a lottery trust fund the amount of net revenues which
 18 the corporation determines are surplus to its needs. These funds shall be held in
 19 trust until 1990 at which time the General Assembly shall determine the manner in
 20 which the funds will be allocated and appropriated. The net revenues shall be
 21 determined by deducting from gross revenues the payment costs incurred in the
 22 operation and administration of the lottery, including the expenses of the
 23 corporation and the costs resulting from any contract or contracts entered into for
 24 promotional, advertising, or operational services or for the purchase or lease of
 25 lottery equipment and materials, fixed capital outlays, and the payment of prizes to
 26 the holders of winning tickets. After the start-up costs are paid, it is the intent of the
 27 Legislature that it shall be the goal of the corporation to transfer each year thirty-

1 five percent (35%) of gross revenues to the general fund for the purposes stated
2 above.

3 (2) A Kentucky lottery trust account is established in the State Treasury. Net lottery
4 revenues shall be credited to this restricted account as provided in subsection (1) of
5 this section. Moneys credited to the Kentucky lottery trust account shall be invested
6 by the state in accordance with state investment practices and all earnings from the
7 investments shall accrue to this account. No moneys shall be allotted or expended
8 from this account unless pursuant to an appropriation by the General Assembly,
9 except that moneys as are needed shall be transferred to the general fund pursuant to
10 the provisions of the Acts of the Extraordinary Session of the 1988 General
11 Assembly. Moneys in the Kentucky lottery trust account shall not lapse at the close
12 of the state fiscal year.

13 (3) ~~Beginning in fiscal year 1999-2000, and~~ Each fiscal year ~~thereafter~~, three million
14 dollars (\$3,000,000) from net lottery revenues from the sale of lottery tickets shall
15 be credited from the general fund as follows:

16 (a) To the Collaborative Center for Literacy Development, one million two
17 hundred thousand dollars (\$1,200,000) ~~in fiscal year 1999-2000 and each~~
18 ~~fiscal year thereafter~~; and

19 (b) To the reading diagnostic and intervention ~~early reading incentive~~ fund,
20 one million eight hundred thousand dollars (\$1,800,000) ~~in fiscal year 1999-~~
21 ~~2000 and each fiscal year thereafter~~.

22 (4) After the allocation of three million dollars (\$3,000,000) to literacy development, as
23 provided in subsection (3) of this section, net lottery revenues from the sale of
24 lottery tickets shall be credited from the general fund as follows:

25 (a) To the Wallace G. Wilkinson Kentucky educational excellence scholarship
26 trust fund established in KRS 164.7877:

27 1. ~~Seven million dollars (\$7,000,000) in fiscal year 1999-2000;~~

- 1 ~~2. Fifteen percent (15%) in fiscal year 2000-2001;~~
- 2 ~~3. Twenty-five percent (25%) in fiscal year 2001-2002;~~
- 3 ~~4. Thirty-two percent (32%) in fiscal year 2002-2003;~~
- 4 ~~5.] Forty percent (40%) in fiscal year 2003-2004; and~~
- 5 ~~2[6]. Forty-five percent (45%) in fiscal year 2004-2005 and each fiscal year~~
- 6 thereafter; and

7 (b) To the College Access Program and the Kentucky Tuition Grants Program
8 established in KRS Chapter 164:

- 9 ~~1.[Fourteen million dollars (\$14,000,000) in fiscal year 1998-1999;~~
- 10 ~~2. Fifteen million dollars (\$15,000,000) in fiscal year 1999-2000;~~
- 11 ~~3. Thirty-two percent (32%) in fiscal year 2000-2001 through fiscal year~~
12 ~~2002-2003;~~
- 13 ~~4.] Forty percent (40%) in fiscal year 2003-2004;~~
- 14 ~~2[5]. Forty-five percent (45%) in fiscal year 2004-2005; and~~
- 15 ~~3[6]. Fifty-five percent (55%) of net lottery revenues in fiscal year 2005-2006~~
16 and each fiscal year thereafter.

17 (5) The Auditor of Public Accounts shall be responsible for a financial postaudit of the
18 books and records of the corporation. The postaudit shall be conducted in
19 accordance with generally accepted accounting principles, shall be paid for by the
20 corporation, and shall be completed within ninety (90) days of the close of the
21 corporation's fiscal year. The Auditor of Public Accounts shall contract with an
22 independent, certified public accountant who meets the qualifications existing to do
23 business within the Commonwealth of Kentucky to perform the corporation
24 postaudit. The Auditor of Public Accounts shall remain responsible for the annual
25 postaudit and the corporation shall pay all audit costs. The Auditor of Public
26 Accounts may at any time conduct additional audits, including performance audits,
27 of the corporation as he deems necessary or desirable. Contracts shall be entered

1 into for audit services for a period not to exceed five (5) years and the same firm
 2 shall not receive two (2) consecutive audit contracts. All audits shall be filed with
 3 the Governor, the President of the Senate, and the Speaker of the House of
 4 Representatives. The corporation shall reimburse the Auditor of Public Accounts
 5 for the reasonable costs of any audits performed by him. The corporation shall
 6 cooperate with the Auditor of Public Accounts by giving employees designated by
 7 any of them access to facilities of the corporation for the purpose of efficient
 8 compliance with their respective responsibilities. With respect to any
 9 reimbursement that the corporation is required to pay to any agency, the corporation
 10 shall enter into an agreement with that agency under which the corporation shall pay
 11 to the agency an amount reasonably anticipated to cover the reimbursable expenses
 12 in advance of the expenses being incurred.

13 (6) By no later than December 31 of each year, in an advertisement at least one-fourth
 14 (1/4) of a page in size, the Kentucky Lottery Corporation shall publish the following
 15 information in every general-circulation daily newspaper published in Kentucky:

16 (a) The statements of revenue, expenses, and changes in retained earnings as
 17 shown in the most recent annual audit report. It shall be explained that the
 18 transfer of dividends is the amount of lottery earnings transferred to the
 19 general fund;

20 (b) A statement identifying the auditing firm;

21 (c) A telephone number which citizens may call to obtain a complete copy of the
 22 annual audit report; and

23 (d) The name of the president/chief executive officer of the Kentucky Lottery
 24 Corporation and a complete list of board members.

25 The Kentucky Lottery Corporation shall pay for the cost of the advertisement.

26 Section 7. KRS 200.703 is amended to read as follows:

27 (1) The authority shall establish priorities for programs and the expenditure of funds

1 that include, but are not limited to, the following:

- 2 (a) Implementation of public health initiatives identified by the General
3 Assembly;
- 4 (b) Provision of preconceptional and prenatal vitamins, with priority for folic acid
5 for the prevention of neural tube defects;
- 6 (c) Voluntary immunization for children not covered by public or private health
7 insurance;
- 8 (d) Availability of high-quality, affordable early child-care and education options;
9 and
- 10 (e) Increased public awareness of the importance of the early childhood years for
11 the well-being of all Kentucky's citizens.

12 (2) The authority shall develop a state plan on a biennial basis that identifies early
13 childhood development funding priorities. Every two (2) years the authority shall
14 review its priorities and make necessary adjustments to its state plan. The state plan
15 shall incorporate priorities included in "KIDS NOW: Kentucky Invests in
16 Developing Success, a Report from the Governor's Early Childhood Task Force,
17 November 1999," and recommendations identified by the community early
18 childhood councils. The authority shall file a report on the state plan with the
19 Governor and the Legislative Research Commission by July 15 of odd-numbered
20 years.

21 (3) Programs funded by the authority shall be implemented by the appropriate agencies
22 within the Cabinet for Health Services; the Cabinet for Families and Children; the
23 Education, Arts, and Humanities Cabinet; the Finance and Administration Cabinet;
24 or other appropriate administrative agency.

25 (4) The authority shall assure that a public hearing is held on the expenditure of funds.
26 Advertisement of the public hearing shall be published at least once but may be
27 published two (2) more times, if one (1) publication occurs not less than seven (7)

1 days nor more than twenty-one (21) days before the scheduled date of the public
2 hearing.

3 (5) The authority shall promulgate administrative regulations in accordance with KRS
4 Chapter 13A to:

5 (a) Coordinate and improve early childhood development services, outcomes, and
6 policies;

7 (b) Establish procedures that relate to its governance;

8 (c) Designate service areas of the Commonwealth where the community early
9 childhood councils may be established to identify and address the early
10 childhood development needs of young children and their families for the
11 communities that they serve;

12 (d) Establish procedures that relate to the monitoring of grants, services, and
13 activities of the community early childhood councils and their governance;

14 (e) Establish procedures for accountability and measurement of the success of
15 programs that receive funds from the authority; and

16 (f) Establish standards for the payment of funds to a designated service provider
17 and grantee of a community early childhood council. These standards shall
18 include requirements relating to:

19 1. The financial management of funds paid to grantees;

20 2. The maintenance of records; and

21 3. An independent audit of the use of grant funds.

22 (6) The authority may disband or suspend a council, and may remove one (1) or more
23 members for nonperformance or malfeasance. The authority may also recover funds
24 that have been determined by the authority to have been misappropriated or
25 misspent in relation to a grant award.

26 (7) An appeal to the authority may be made by a council as to a decision made by the
27 authority on the disbanding or suspension of a council, service provider, or grantee

1 on a determination that funds have been misappropriated or misspent and are
2 subject to recovery. The appeal shall be conducted in accordance with KRS Chapter
3 13B.

4 (8) The authority, councils established by the authority, and initiatives funded by the
5 authority with expenditures from the early childhood development fund shall expire
6 when:

7 (a) Funds are no longer designated to the Commonwealth from the master
8 settlement agreement signed on November 22, 1998, between the participating
9 tobacco manufacturers and the forty (40) settling states or related federal
10 legislation; or

11 (b) Funds are no longer designated to the early childhood development fund from
12 gifts, grants, or federal funds to fund the authority, the councils established by
13 the authority, or any programs that had been funded by the authority with
14 expenditures from the early childhood development fund.

15 (9) (a) The authority shall establish a Healthy Babies Work Group, consisting of
16 representatives from the Cabinet for Families and Children; the Cabinet for
17 Health Services; public schools; local libraries; the Kentucky March of
18 Dimes; family resource centers; agencies that provide benefits under the
19 Special Supplementation Food Program for Women, Infants, and Children;
20 the Folic Acid Awareness Campaign; physicians; secondary health education
21 and consumer sciences teachers; the Spina Bifida Association of Kentucky;
22 and other persons as appropriate. Representatives shall reflect the geographic,
23 racial, and gender diversity of the Commonwealth.

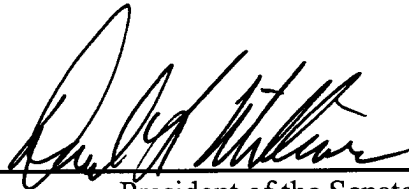
24 (b) The Healthy Babies Work Group shall collaborate on development and
25 implementation of a public awareness campaign to inform the citizens of the
26 Commonwealth about the benefits of good nutrition, folic acid, smoking
27 cessation, and healthy lifestyle choices that lead to healthy babies, the effects

1 of alcohol and substance abuse on fetal and early childhood development, and
2 the need for a vision examination of children at age three (3). The work group
3 shall work with local health departments for the vision examination outreach
4 program.

5 (10) The authority shall work with local entities, including, but not limited to, health
6 departments and service providers, to establish to the extent of available funding a
7 vision examination program for children who are not eligible for the Kentucky
8 Children's Health Insurance Program or Medicaid, and who do not have insurance
9 coverage for a vision examination. The authority shall provide that primary
10 students, regardless of age, who are having difficulty with reading may be
11 referred and receive a second vision examination as described in KRS 156.160 at
12 no cost to the parent.

13 (11) The authority shall develop a request for proposal process by which local early
14 childhood councils may request any funding appropriated to the authority for use by
15 the councils.

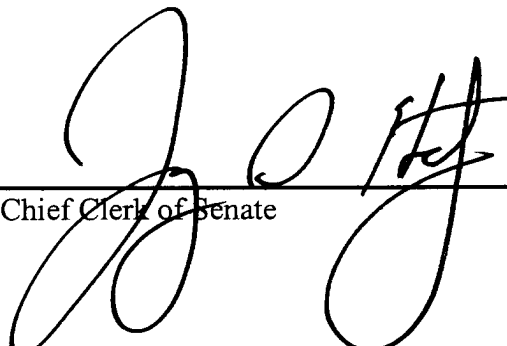
16 Section 8. Whereas it is critical that the Department of Education, the Kentucky
17 Board of Education, the Collaborative Center for Literacy Development, and the Reading
18 Diagnostic and Intervention Early Grant Steering Committee arrive at decisions regarding
19 revisions to administrative regulations and the distribution of grant applications to local
20 school districts, and that technical assistance be provided to school districts in a timely
21 manner before the start of the 2005-2006 school year, an emergency is declared to exist,
22 and this Act takes effect upon its passage and approval by the Governor or upon its
23 otherwise becoming a law.



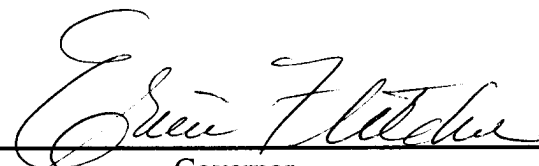
President of the Senate



Speaker-House of Representatives

Attest: 

Chief Clerk of Senate

Approved 

Governor

Date 
